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RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Yuji AKIMOTO et al

Title : METHOD FOR MANUFACTURING METAL POWDER

Serial No. : 10/657 569 Group: 1742

Confirmation No.: 9860

Filed : September 8, 2003 Examiner: Wyszomierski

International Application No.: N/A

International Filing Date : N/A

Atty. Docket No.: 4700.P0293US

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 18, 2005.



Terryence F. Chapman

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FLYNN, THIEL, BOUTELL & TANIS, P.C. 2026 Rambling Road Kalamazoo, MI 49008-1631 Phone: (269) 381-1156 Fax: (269) 381-5465	Dale H. Thiel David G. Boutell Ronald J. Tanis Terryence F. Chapman Mark L. Maki Liane L. Churney Brian R. Tumm Steven R. Thiel Donald J. Wallace Kevin L. Pontius Sidney B. Williams, Jr.	Reg. No. 24 323 Reg. No. 25 072 Reg. No. 22 724 Reg. No. 32 549 Reg. No. 36 589 Reg. No. 40 694 Reg. No. 36 328 Reg. No. 53 685 Reg. No. 43 977 Reg. No. 37 512 Reg. No. 24 949
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Correspondence: Request for Reconsideration including documents listed thereon

190.05/05



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November 14, 2005

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REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action dated September 1, 2005, applicants respectfully request reconsideration.

Claims 1-5 and 12-14 have been rejected under 35 USC 103(a) as being unpatentable over Akimoto et al. Claims 1-5 and 12-14 have been rejected under 35 USC 103(a) as being unpatentable over Akimoto et al in view of Gonzalez et al. Claims 1-5 and 12-14 also have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of co-pending application Serial No. 10/630 394. Applicants respectfully traverse these grounds of rejection and urge reconsideration in light of the following comments.

As discussed previously, the instant invention is directed to a method for manufacturing a highly-crystallized metal powder which comprises the steps of ejecting a raw material powder comprising of one or more kinds of thermally